

5. On September 26, 2018, the United States filed its Response and Objection to Defendants' Rule 12 Motions to Dismiss (Docket No. 9) ("Response").
6. On October 2, 2018, Defendants filed the Respondents' Original Counterclaim (Docket No. 10) (the "Counterclaim") asserting at multiple counter claims against the United States.
7. On October 10, the Court entered an Order (Docket No. 11) referring the Defendants' Motion to Dismiss and the Response to United States Magistrate Judge Mark Lane for report and recommendation.
8. On October 23, 2018, the United States filed its Motion to Dismiss Respondents' Original Counterclaim (Docket No 12) (the "United States Motion to Dismiss Counterclaim").
9. On October 31, 2018, the Court entered an Order (Docket No. 15) referring the United States Motion to Dismiss Counterclaim and any response thereto to United States Magistrate Judge Mark Lane for report and recommendation.
10. On April 2, 2019, the Report and Recommendation of the United States Magistrate Judge (Docket No. 19) (the "Report and Recommendation") was entered by the Court wherein United States Magistrate Judge Mark Lane recommended that (a) the Defendants' Motion to Dismiss be denied and Defendants be ordered to answer the Complaint within 20 days of the order adopting the Report and Recommendation, (b) the United States Motion to Dismiss Counterclaim be granted, and (c) that the Counterclaim be dismissed with prejudice. The Defendants did not object or otherwise respond to the Report and Recommendation.
11. On May 14, 2019, this Court entered its Order on Report and Recommendation of the United States Magistrate Judge (Docket No. 22), adopting the recommendation of the

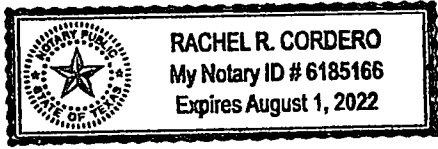
Magistrate Judge in full, denying the Defendants' Motion to Dismiss, granting the United States Motion to Dismiss Counterclaim, dismissing the Counterclaim with prejudice and setting June 14, 2019 as the deadline for the Defendants to file their answer to the Complaint.

12. As of the date of this Affidavit, Defendants have not filed an answer to the Complaint or otherwise responded or appeared in this action since the entry of the Order on Report and Recommendation of the United States Magistrate Judge, and the time for doing so has expired.
13. The claim which the United States has against Defendants is for a sum certain in the amount of \$15,000.00 as set forth in the pleadings and the attached certificate of forfeiture.
14. In addition, the United States is entitled to post-judgment interest on the judgment from the date of judgment at the legal rate as provided by law.
15. To the best of my knowledge, Defendants are neither minors, nor incompetent. Further, pursuant to the Soldiers' and Sailors' Civil Relief Act of 2003, the Defendants are not currently on active military duty.
16. Pursuant to Rules 55(a) and (b) of the Federal Rules of Civil Procedure, entry of default and default judgment against Defendants is therefore proper.

FURTHER AFFIANT SAITH NOT.


GARY W. WRIGHT

SUBSCRIBED AND SWORN TO before me this 11th day of July, 2019.



Rachel R. Cordero

Notary Public
State of Texas

My Commission expires: 8/1/2022

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

CERTIFICATE OF FORFEITURE

**Violator(s) Name(s) and
Address(es):**

Walter Olenick and M. Rae Nadler Olenick
1205 E. 52nd Street, Apt. 101
Austin, Texas 78723

Total forfeiture assessed by FCC as of November 21, 2014 in the amount of \$15,000.00.

I certify that Federal Communications Commission records show that the violator named above has been ordered to pay to the United States the amount stated above.

This claim arose in connection with:

Notice of Apparent Liability For Forfeiture released February 19, 2014

Forfeiture Order released June 3, 2014

Memorandum Opinion and Order released August 19, 2014

CERTIFICATION: Pursuant to 28 USC § 1746, I certify under penalty of perjury that the foregoing is true and correct.

7/14/2015

(Date)



Susan L. Launer

Deputy Associate General Counsel